

'Tough but fair'

Judge Diane Schulte will leave the bench

By Michael J. Clark

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Howard County's first female judge, Diane G. Schulte, who has earned a reputation for routinely jailing repeat drunken drivers and dressing down unprepared lawyers, will leave the District Court bench July 5.

The 42-year-old "activist" judge, who is completing the eighth year of her 10-year term, said she is leaving to manage her family's land holdings and practice criminal defense law in the fast-growing county.

She is the only child of Jean and Bill Schulte, now in their 70s, and eventually will inherit her family's multimillion-dollar estate. Mr. Schulte, a retired car dealer, and his wife live in Woodbine.

"I can't imagine ever being a poor little rich girl," she said. "I love the law. I like physical labor and restoring historic buildings. There are not enough hours in the day."

Among those expected to seek Judge Schulte's job are State's Attorney William R. Hymes, Public Defender Carol Robertson and Domestic Master Bernard A. Raum.

County prosecutor Timothy G. Wolf called Judge Schulte a "character in the positive sense of that word. The buck stops with her. She has been a tough but fair judge."

Judge Schulte is anything but typical. She drives a pickup truck and commutes every weekend from her apartment in the county to the Eastern Shore town of Oxford, where she lives in a bank building she has restored and converted into a home.

Her supporters say she has left her mark on the local judicial system, particularly on the issue of drunken driving.

"She has made a tremendous impact in the area of alcohol-related offenses," said Ms. Robertson. "She requires drunk drivers to abstain from drinking alcohol, attend Alcohol Anonymous meetings and meet weekly with the drunk driver monitors," who play a role similar to a probation agent.

Defendants who refuse to get treatment or commit new offenses automatically receive Judge Schulte's "shock treatment," as Ms. Robertson put it. "She sends them to prison until they get the message."

"Judge Schulte has a reputation as a hanging judge, and that has been super for our program in helping people turn their lives around," said Gordon L. Miller, district supervisor of the drunken driving monitoring program. "But underneath her tough image is a very feeling person," he said. "She has a heart as big as the building, and has helped so many people."

Chief District Court Judge Robert F. Sweeney called Judge Schulte's resignation "a devastating loss to the judiciary because she is an extraordinary and gifted woman who works hard at being a good judge."

But the judge is not without her critics.

Defense lawyer Preston A. Parlo Jr. found fault with Judge Schulte's tough sentences in drunken-driving cases, saying she was "too prone to put people in jail without giving them a chance to prove themselves."

He also criticized her for regularly giving first-offenders convicted of drunken driving an alcohol restriction on their license for up to three years that forbids them to get behind the wheel after consuming any alcohol.

The judge, whose energy level borders on hyperactivity, said she considers herself "a social worker who has practiced tough love" during her stint on the bench.

Among her innovations has been a system for quickly resolving traffic cases when the driver intends to plead guilty. She lines the defendants up before the bench, often dozens at a time, and disposes of the cases with a personal touch.

In many cases, that means throwing "the book" at them — for instance, showing young defendants charged with speeding a binder full of gory accident photos to illustrate the dangers of driving too fast.

On her office shelves, Judge Schulte keeps photographs of two "handsome" young men — one named Ralph, who made her realize she had to be tougher on drunken drivers, and another named Kevin, who benefited from her iron hand.

Ralph, a mustachioed man who wears a ball cap in the snapshot, "was charming, and early in my career on the bench, he twisted me around his finger and continued to avoid getting treatment," Judge Schulte said.

"He ended up choking to death on his own vomit, and his death haunts me sometimes because I was not hard enough," she said.

The second photo shows Kevin standing in front of the White House.

"He was a good-looking kid in his early 20s when he first came before me," Judge Schulte recalled. "He came back again and again on charges of drunken driving and fleeing and eluding police."

Judge Schulte decided she'd "had enough" and sent him to jail until he would promise to stop drinking and stay out of trouble.

"Sixty-two days later, he came into court and made that promise," she said. "It was obvious he hated me because he wouldn't look at me. But he had what I would call a spiritual conversion while attending Alcoholics Anonymous, and now he is managing a restaurant. I used to tell him that he had the charm and brains to be president, and that's why he sent me the photo with the inscription 'I am not president yet, but I am on my way. Thanks to you.'"

"That is what judging is all about — behavior modification," she continued. "I jump inside the skin of these people. They almost want to throw up to get you out. Most people who commit crimes are alcohol- or drug-addicted or have a psychological problem. I want to help them deal with the central problem in their lives."

Defense lawyers who are perceived to be unprepared and ignorant of the law and courtroom procedures have experienced the lash of Judge Schulte's tongue.

"I have a short fuse," she said. "I get aggravated by incompetence. A lawyer should be like a doctor who walks into an operating room, having a person's life in their hands."

While Judge Schulte said she has enjoyed her work, she professed no interest in seeking public office in the future and said she probably will not return to the bench.

"There is no way I could spend my entire life in the judiciary," Judge Schulte said. "I find returning to the real world exciting."